

NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS
TO THE
JOINT SECRETARY, OFFICE OF THE SECRETARY OF STATE
PROFESSIONAL LICENSING BOARDS,
CHAPTER 295-15, *INACTIVE STATUS LICENSES*,
RULE 295-15-.01, *STATE EXAMINING BOARDS INACTIVE STATUS LICENSES*
AND NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, Joint Secretary, proposes amendments to the Rules of the Joint Secretary, State Examining Boards, Chapter 295-15, Inactive Status Licenses (hereinafter "proposed rule amendments"). The proposed rule amendments include revisions to Rule 295-15-.01. The Joint Secretary voted to post this notice of adoption and hearing on September 19, 2008.

The proposed rule amendments provide for an inactive status for residential or general contractors.

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Professional Licensing Board's web page at <http://www.sos.state.ga.us/plb/default.htm> . Copies may also be requested by contacting the Professional Licensing Board office at 478-207-2440.

A public hearing will be held at 10:00 a.m. on October 28, 2008 at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information for the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m.) on October 21, 2008. Written comments should be addressed to Randy L. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1363

The proposed rule amendments will be considered for adoption by the Division Director at his meeting on October 28, 2008 scheduled to begin at 10:05 a.m. at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Division Director has the

authority to adopt the proposed rule amendments pursuant to authority contained in O.C.G.A. §§ 43-1-22 and 43-41-5(b).

The Division Director will consider at his meeting on October 28, 2008 whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-22 and 43-41-5(b).

Additionally, at his meeting on October 28, 2008, the Division Director will consider whether it is legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-22 and 43-41-5(b) to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The Division Director will consider whether the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the fields of residential and general contracting.

For further information, contact the Professional Licensing Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 19th day of September, 2008.

Randall D. Vaughn
Division Director
Professional Licensing Boards

Posted: September 19, 2008

**SYNOPSIS OF PROPOSED AMENDMENTS
TO THE RULES OF THE
JOINT SECRETARY, OFFICE OF THE SECRETARY OF STATE
PROFESSIONAL LICENSING BOARDS,
CHAPTER 295-15, *INACTIVE STATUS LICENSES*,
RULE 295-15-.01, *STATE EXAMINING BOARDS INACTIVE STATUS LICENSES***

Rule 295-15-.01 is amended.

Purpose: To provide for an inactive status for residential and general contractors.

Main Features: Outlines the requirements for requesting and maintaining inactive status.

**DIFFERENCES BETWEEN THE EXISTING RULE
AND THE PROPOSED RULE
OF THE JOINT SECRETARY, OFFICE OF THE SECRETARY OF STATE
PROFESSIONAL LICENSING BOARDS,
CHAPTER 295-15, *INACTIVE STATUS LICENSES*,**

RULE 295-15-.01, *STATE EXAMINING BOARDS INACTIVE STATUS LICENSES*

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

(n) State Licensing Board for Residential and General Contractors

(1) A residential or general contractor who holds a valid residential or general contractor's license in the State of Georgia may request the license be placed on inactive status under the following provisions:

(a) Notifies the Board, in writing, that he or she chooses to retire from active practice of the profession. Said license shall be considered inactive.

(b) Shall not engage in contracting and shall not hold themselves out to the public as being available to provide contractor services.

(c) Shall not be required to obtain the necessary continuing education credits.

(d) Shall not be assessed a renewal fee for the period that the license is inactive.

(2) Contracting with an inactive license shall be considered unlicensed practice and is subject to disciplinary action.

(3) Should contractor holding an inactive license choose to return to active status, the following requirements must be met:

(a) Submit evidence of attendance of the required Board approved continuing education for each biennium that the license was inactive.

(b) Provide evidence that licensee is in good standing in all states in which he or she has ever been licensed. A reactivation fee as established by the board must be submitted with the application for reactivation.

(c) Submit proof of current general liability insurance and worker's compensation as required by law for the license type that is to be reinstated.

(d) Submit other proof of financial responsibility as is required for the license type that is to be reinstated.

(4) After 5 years of continuous inactive status, the Board may, at its discretion require successful passing of the contractor examination in the contractor field for the license that the contractor wishes to reinstate.

Authority: O.C.G.A. § 43-1-22 and 43-41-5(b).